



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

NOV 19 2014

CERTIFIED MAIL 7012 1010 0001 8097 0412
RETURN RECEIPT REQUESTED

Savannah Steel Terminal, LLC
355 North Lathrop Avenue
Savannah, Georgia 31415

Re: Information Request – Section 308 of the Clean Water Act
Savannah Steel Terminal, LLC

Dear Sir:

Section 402 of the Clean Water Act (CWA) specifies that a National Pollutant Discharge Elimination System (NPDES) permit is required for any stormwater discharge associated with certain industrial activities. The U.S. Environmental Protection Agency's stormwater regulations, set forth at 40 Code of Federal Regulations (C.F.R) § 122.26(b)(14)(vi), consider facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards and automobile junkyards, including but limited to those classified as Standard Industrial Classification (SIC) 5015 and 5093. The State of Georgia has the NPDES permit authorization and issued the Georgia General Permit, *Authorization to Discharge Under The National Pollutant Discharge Elimination System Storm Water Discharges Associated With Industrial Activity*, Permit No. GAR050000, effective June 1, 2012.

It has come to our attention that the Savannah Steel Terminal, LLC facility, located at 355 North Lathrop Avenue, Savannah, Georgia is classified under SIC 5093, and may be subject to the CWA requirements. Pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, the EPA hereby requests that you provide the information set forth in Enclosure A within 15 days of your receipt of this letter. Answer each question as clearly and completely as possible. The response should be directed to:

Mr. Michael Hom, Environmental Engineer
U.S. Environmental Protection Agency Region 4
NPDES Permitting and Enforcement Branch
Water Protection Division
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Responses to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible company official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

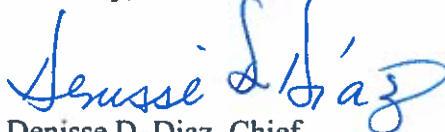
Preserve, until further notice, all records (either written or electronic) which existed at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* to assist you in understanding the compliance assistance resources and tools available to you. Any decision to seek compliance assistance at this time, however, does not relieve you of your obligation to the EPA nor does it create any new rights or defenses, and will not affect the EPA's decision to pursue enforcement action. In addition, the Securities and Exchange Commission requires its registrants to periodically disclose environmental legal proceedings in statements filed with the Commission. To assist you, the EPA has also enclosed a document entitled *Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings*.

If you have questions regarding this notice and information request, please feel free to contact Mr. Hom at (404) 562-9748 or via email at hom.michael@epa.gov. Legal inquiries should be directed to Mr. Philip Mancusi-Ungaro, Associate Regional Counsel, at (404) 562-9519.

Sincerely,

A handwritten signature in blue ink, appearing to read "Denisse D. Diaz".

Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures

cc: Ms. Frances Carpenter
Georgia Environmental Protection Division

ENCLOSURE A
REQUEST FOR INFORMATION PURSUANT TO SECTION 308

Instructions

1. Identify the person(s) responding to this Information Request.
2. Please provide a separate narrative response to each and every Question and subpart of a Question set forth in this Information Request.
3. Precede each answer with the text and the number of the question and its subpart to which the answer corresponds.
4. All documents submitted must contain a notation indicating the question and subpart of the question to which they are responsive.
5. In answering each Information Request, identify all documents and persons consulted, examined, or referred to in the preparation of each response and provide true and accurate copies of all such documents.
6. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find at any time after the submission of its response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA thereof as soon as possible.
7. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Request to which it responds.
8. Where specific information has not been memorialized in a document, but is nonetheless responsive to a Request, you must respond to the Request with a written response.
9. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.
10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
11. All documents provided in an electronic format should be compatible with .pdf.
12. All spreadsheet information should be in electronic format and compatible with MS Excel.
13. Information shall be provided for all companies, all subsidiaries, resources groups, or other corporate entities. Thus, the response to each question concerning the company's activities should reflect information regarding each and every entity.

Definitions

14. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in the Clean Water Act or its implementing regulations, in which case the statutory or regulatory definitions shall control.
15. Words in the masculine may be construed in the feminine if appropriate, and vice versa, and words in the singular may be construed in the plural if appropriate, and vice versa, in the context of a particular question or questions.
16. The terms "And" and "Or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed outside its scope.
17. The term "Identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
18. The term "Identify" means, with respect to a document, to provide its customary business description; its date; its number, if any (invoice or purchase order number); the identity of the author, addressee and/or recipient; and substance of the subject matter.
19. The term "Identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
20. The term "Facility" means any company, entity, or corporation with an NPDES point source (including land or appurtenance thereto) that is subject to regulation under the NPDES program.
21. The term "You" and "Your" shall mean Savannah Steel Terminal, LLC, and/or any company, entity, or corporation that has directed work at the Site.
22. The term "NPDES" or "NPDES Permit" shall mean National Pollutant Discharge Elimination System permit or any state permit, issued pursuant to the Clean Water Act.
23. The term "Discharge" shall mean the addition of any pollutant to navigable waters; i.e., surface water sources ditches, or streams.
24. The term "Wetlands" shall mean those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.
25. The term "Stormwater" means any runoff generated when precipitation from rain or snowmelt events flows over land or impervious surfaces and does not percolate into the ground.

Questions

1. Identify the names and addresses of all current owner(s) of the business located at 355 North Lathrop Avenue, Savannah, Georgia (Site). Specify the legal name with the exact spelling of each owner. Provide the mailing address and phone number for each owner. Specify the state of incorporation and principal place of business for each corporate owner. If incorporated, provide the name and mailing address of the registered agent for each state in which business is conducted.
2. For each entity and/or individual that has a current ownership interest in the business, provide the names and addresses of each officer, director, or shareholder, including both majority and minority shareholders, of the company, and describe any ownership interest, including percentage of ownership each individual officer, director, or shareholder, including both majority and minority shareholders, has in the company.
3. Describe your affiliation with Grimmel Industries, Inc. or Grimmel Industries, LLC (Grimmel Industries).
4. Identify the business Standard Industrial Code, the Sector, and subsector as referenced by the Georgia General Permit No. GAR050000.
5. Describe the Site's nature of your business and detail the process in which recycled and non-recycled materials are handled, including but not limited to, scrap waste material stockpiling, material processing, segregating process materials into uniform grades, and collecting non-recyclable materials for disposal; indicate any vehicle and equipment fueling and maintenance operations.
6. Provide a copy the following documents as referenced by the Georgia General Permit No. GAR050000:
 - a. The previous and current Stormwater Pollution Prevention Plan (SWPPP)
 - b. Routine Facility Inspections since January 2010.
 - c. Quarterly Visual Assessments since January 2010.
 - d. Annual Comprehensive Site Inspections since January 2010.
 - e. Benchmark monitoring results since January 2010, if applicable.
 - f. Employee training program and employee roster and certificates of completion since January 2010.
 - g. Annual non-stormwater certification since January 2010.
7. Identify the person, title, company affiliation of your "qualified personnel", as defined by the Georgia General Permit No. GAR050000.
8. Provide a site map of your property that depicts buildings, process areas, storage areas, impervious surfaces, stormwater detention or retention ponds, the direction of stormwater runoff, and stormwater runoff and/or ponds that discharges into surface waters, such as creeks and streams or into a storm sewer system.
9. Provide copies of correspondence between you and with the Georgia Environmental Protection Division with regards to the Georgia General Permit No. GAR000000 and GAR050000 since January 2010.

10. Provide copies of correspondence between you and with the Municipal Separate Storm Sewer System authority with regards to the Georgia General Permit No. GAR000000 and GAR050000 since January 2010.
11. Provide a list of all other facilities that your officers own or operated in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee (Region 4). In addition, please provide a list of all facilities in Region 4 that are owned and/or operated that are affiliated with Grimmel Industries.
12. Describe any process wastewaters generated at the Site. Process wastewaters are not stormwater. Process wastewaters may include, but are not limited to, waters used for dust suppression and truck rinse down.
 - a. Specify the source(s) of process wastewater and the operational activity where the process wastewater is used. Specify any sources of contamination to the process wastewater, such as uncovered scrap, contaminants in the scrap or additives that are used in each process.
 - b. Describe in detail the transport, treatment, storage, and discharge of process wastewater. Provide a site diagram, flow schematic, and/or waste stream diagram to illustrate how process wastewater is managed.
 - c. Provide, in gallons per day, estimated or actual daily maximum and monthly average volumetric flow rates discharged from each waste stream, and the total discharge for the year. If the flow rate is estimated, please indicate how the flows were estimated.
 - d. Describe in detail the means by which each process wastewater discharge is transported (i.e. pipe, ditch, swale, overflow, catch basin, etc.) from the facility to surface water.
 - e. For each discharge from any operation or activity to surface water, state the name and location of the surface water.
 - f. For each discharge from an operation or activity to surface water, provide the date(s) discharges commenced and the date(s) the discharges ceased if they have been terminated.
 - g. Provide the frequency of each type of process wastewater discharge (per week).
 - h. Provide a copy of all discharge permits in effect and the permit number and date of coverage. If a permit was not obtained for any process water discharges, provide a detailed explanation as to why a permit was not obtained.
 - i. Provide copies of all analytical sample data of process wastewater since January 2010.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.

